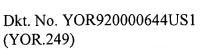
Part B - FEE(S) Transmittal Mail Stop ISSUE L Complete and send this form, together with a ricable fee(s), to: Mail Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 (703) 746-4000 or Far INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee address; and/or (b) indicating a separate "FEE ADDRESS" for the providence address and maintenance fee notifications. Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formed drawing, must have its own certificate of smalling or transmission. CURRENT CURRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) 07/14/2004 21254 Certificate of Maning or Transmission

I hereby certify that this Bee(5) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below. MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD **SUITE 200** VIENNA, VA 22182-3817 (Depositor's name (Simo (Date CONFIRMATION NO. ATTORNEY DOCKET NO. FIRST NAMED INVENTOR FILING DATE APPLICATION NO. YOR9-2000-0644 Nestor A. Bojarczuk JR. 01/11/2002 10/042,181 TITLE OF INVENTION: RARE EARTH METAL OXIDE MEMORY ELEMENT BASED ON CHARGE STORAGE AND METHOD FOR MANUFACTURING SAME DATE DUE TOTAL FEE(S) DUE **PUBLICATION FEE** ISSUE FEE SMALL ENTITY APPLN. TYPE 10/14/2004 \$300 \$1630 \$1330 NO nonprovisional CLASS-SUBCLASS ART UNIT EXAMINER 257-296000 2824 SMITH, BRADLEY Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list Richard M. Ludwin, Esq. (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. McGinn & Gibb, PLLC (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is ☐ "Pee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (B) RESIDENCE: (CITY and STATE OR COUNTRY) (A) NAME OF ASSIGNEE Armonk, New York USA International Business Machines Corporation O government individual All corporation or other private group entity Please check the appropriate assignee category or categories (will not be printed on the patent); 4b. Payment of Pee(s): 4a. The following fee(s) are enclosed: ☐ A check in the amount of the fee(s) is enclosed. 2 Issue Fee ☐ Payment by credit card. Form PTO-2038 is attached. 22 Publication Fee (No small entity discount permitted) QXThe Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0510 (enclose an extra copy of this form). ☐ Advance Order - # of Copies. Deposit Account Number 5. Change in Entity Status (from status indicated above) Db. Applicant is not claiming SMALL ENTITY status. See, e.g., 37 CFR 1.27(g)(2). ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. (Date) August 20, 2004 (Authorized Signature) Phillip E. Miller, Req. No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450. 46,060 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Allowed:

July 14, 2004

Nestor Bojarczuk, JR., et al.

Confirmation No.:

5965

Serial No.:

10/042,181

Group Art Unit:

2824

Filing Date:

January 11, 2002

Examiner:

Smith, Bradley

For:

RARE EARTH METAL OXIDE MEMORY ELEMENT BASED ON CHARGE

STORAGE AND METHOD FOR MANUFACTURING SAME

Honorable Commissioner of Patents Alexandria, Virginia 22313-1450

REQUEST FOR ISSUE DATE

Sir:

The undersigned respectfully requests an Issue Notification for the above-identified allowed application. The issue fee was paid on or about August 20, 2004 (copy attached). Since the Notice of Allowance dated July 14, 2004, we have received no further communication from the Patent Office in this matter.

Applicants respectfully request that an Issue Notification be provided indicating the issue date for the Letters Patent in the above-identified allowed application.

If there are any questions on this matter, please direct all telephone calls to the number shown below.

The Commissioner is authorized to charge any deficiencies in fees and credit any overpayment of fees to Assignee's Deposit Account No. 50-0510.

Respectfully submitted,

McGinn & Gibb, PLLC

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Phillip E. Miller, Esq. Registration No. 46,060